

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 411

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHATZ.

Read 1st time February 9, 2017, and ordered printed.

Read 2nd time February 13, 2017, and referred to the Committee on Local Government and Elections.

Reported from the Committee March 9, 2017, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 27, 2017. Read 3rd time and placed upon its final passage; bill passed.

ADRIANE D. CROUSE, Secretary.

1821S.01P

AN ACT

To repeal section 70.370, RSMo, and to enact in lieu thereof one new section relating to the bi-state metropolitan development district.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 70.370, RSMo, is repealed and one new section enacted
2 in lieu thereof, to be known as section 70.370, to read as follows:

70.370. Within sixty days after this section becomes effective, the governor
2 by and with the advice and consent of the senate shall appoint three
3 commissioners to enter into a compact on behalf of the state of Missouri with the
4 state of Illinois. If the senate is not in session at the time for making any
5 appointment, the governor shall make a temporary appointment as in case of a
6 vacancy. Any two of the commissioners so appointed together with the attorney
7 general of the state of Missouri may act to enter into the following compact:

8 COMPACT BETWEEN MISSOURI AND ILLINOIS
9 CREATING THE BI-STATE DEVELOPMENT AGENCY
10 AND THE BI-STATE METROPOLITAN DISTRICT

11 The states of Missouri and Illinois enter into the following agreement:

12 ARTICLE I

13 They agree to and pledge each to the other faithful cooperation in the
14 future planning and development of the bi-state metropolitan district, holding in
15 high trust for the benefit of its people and of the nation the special blessings and
16 natural advantages thereof.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17

ARTICLE II

18 To that end the two states create a district to be known as the "Bi-State
19 Metropolitan Development District" (herein referred to as "The District") which
20 shall embrace the following territory: The City of St. Louis and the counties of St.
21 Louis and St. Charles [and], Jefferson, **and Franklin** in Missouri, and the
22 counties of Madison, St. Clair, and Monroe in Illinois.

23

ARTICLE III

24 There is created "The Bi-State Development Agency of the
25 Missouri-Illinois Metropolitan District" (herein referred to as "The Bi-State
26 Agency") which shall be a body corporate and politic. The bi-state agency
27 shall have the following powers:

28 (1) To plan, construct, maintain, own and operate bridges, tunnels,
29 airports and terminal facilities and to plan and establish policies for sewage
30 and drainage facilities;

31 (2) To make plans for submission to the communities involved for
32 coordination of streets, highways, parkways, parking areas, terminals, water
33 supply and sewage and disposal works, recreational and conservation facilities
34 and projects, land use pattern and other matters in which joint or coordinated
35 action of the communities within the areas will be generally beneficial;

36 (3) To charge and collect fees for use of the facilities owned and
37 operated by it;

38 (4) To issue bonds upon the security of the revenues to be derived from
39 such facilities; and, or upon any property held or to be held by it;

40 (5) To receive for its lawful activities any contributions or moneys
41 appropriated by municipalities, counties, state or other political subdivisions
42 or agencies; or by the federal government or any agency or officer thereof;

43 (6) To disburse funds for its lawful activities, and fix salaries and
44 wages of its officers and employees;

45 (7) To perform all other necessary and incidental functions; and

46 (8) To exercise such additional powers as shall be conferred on it by
47 the legislature of either state concurred in by the legislature of the other or by
48 act of congress.

49 No property now or hereafter vested in or held by either state, or by
50 any county, city, borough, village, township or other political subdivision, shall
51 be taken by the bi-state agency without the authority or consent of such state,
52 county, city, borough, village, township or other political subdivision, nor shall
53 anything herein impair or invalidate in any way any bonded indebtedness of
54 such state, county, city, borough, village, township or other political

55 subdivision, nor impair the provisions of law regulating the payment into
56 sinking funds of revenues derived from municipal property, or dedicating the
57 revenues derived from any municipal property to a specific purpose.

58 Unless and until otherwise provided, it shall make an annual report to
59 the governor of each state, setting forth in detail the operations and
60 transactions conducted by it pursuant to this agreement and any legislation
61 thereunder.

62 Nothing contained in this compact shall impair the powers of any
63 municipality to develop or improve terminal or other facilities.

64 The bi-state agency shall from time to time make plans for the
65 development of the district; and when such plans are duly approved by the
66 legislatures of the two states, they shall be binding upon both states with the
67 same force and effect as if incorporated in this compact.

68 The bi-state agency may from time to time make recommendations to
69 the legislatures of the two states or to the Congress of the United States,
70 based upon study and analysis, for the improvement of transportation,
71 terminal, and other facilities in the district.

72 The bi-state agency may petition any interstate commerce commission
73 (or like body), public service commission, public utilities commission (or like
74 body), or any other federal, municipal, state or local authority, administrative,
75 judicial or legislative, having jurisdiction in the premises, for the adoption and
76 execution of any physical improvements, change in method, rate of
77 transportation, system of handling freight, warehousing, docking, lightering, or
78 transfer of freight, which, in the opinion of the bi-state agency, may be
79 designed to improve or better the handling of commerce in and through the
80 district, or improve terminal and transportation facilities therein. It may
81 intervene in any proceeding affecting the commerce of the district.

82 ARTICLE IV

83 The bi-state agency shall consist of ten commissioners, five of whom
84 shall be resident voters of the state of Missouri and five of whom shall be
85 resident voters of the state of Illinois. All commissioners shall reside within
86 the bi-state district, the Missouri members to be chosen by the state of
87 Missouri and the Illinois members by the state of Illinois in the manner and
88 for the terms fixed by the legislature of each state except as herein provided.

89 ARTICLE V

90 The bi-state agency shall elect from its number a chairman, a vice
91 chairman, and may appoint such officers and employees as it may require for
92 the performance of its duties, and shall fix and determine their qualifications

93 and duties.

94 Until otherwise determined by the legislatures of the two states no
95 action of the bi-state agency shall be binding unless taken at a meeting at
96 which at least three members from each state are present, and unless a
97 majority of the members from each state present at such meeting shall vote in
98 favor thereof. Each state reserves the right hereafter to provide by law for the
99 exercise of the veto power by the governor thereof over any action of any
100 commissioner appointed therefrom.

101 Until otherwise determined by the action of the legislature of the two
102 states, the bi-state agency shall not incur any obligations for salaries, office or
103 other administrative expenses, prior to the making of appropriations adequate
104 to meet the same.

105 The bi-state agency is hereby authorized to make suitable rules and
106 regulations not inconsistent with the constitution or laws of the United States
107 or of either state, or of any political subdivision thereof, and subject to the
108 exercise of the power of congress, for the improvement of the district, which
109 when concurred in or authorized by the legislatures of both states, shall be
110 binding and effective upon all persons and corporations affected thereby.

111 The two states shall provide penalties for violations of any order, rule
112 or regulation of the bi-state agency, and for the manner of enforcing same.

113

ARTICLE VI

114 The bi-state agency is authorized and directed to proceed with the
115 development of the district in accordance with the articles of this compact as
116 rapidly as may be economically practicable and is vested with all necessary
117 and appropriate powers not inconsistent with the constitution or the laws of
118 the United States or of either state, to effectuate the same, except the power to
119 levy taxes or assessments.

120 It shall render such advice, suggestion and assistance to all municipal
121 officials as will permit all local and municipal improvements, so far as
122 practicable, to fit in with the plan.

123

ARTICLE VII

124 In witness thereof, we have hereunto set our hands and seals under
125 authority vested in us by law.

126 (Signed)

127 In the presence of:

128 (Signed)

✓